



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**Umar Alli,**

**Plaintiff,**

**-against-**

**Warden Sharlisa Walker, et al.,**

**Defendants.**

**1:22-cv-07616 (RA) (SDA)**

**ORDER**

**STEWART D. AARON, United States Magistrate Judge:**

Plaintiff has requested a *Valentin* Order to identify the John and Jane Doe defendants named in his Complaint. (See Pl.'s 11/28/22 Ltr., ECF No. 11; *see also* Pl.'s 3/20/23 Ltr., ECF No. 23; Pl.'s 3/22/23 Ltr., ECF No. 25.) Plaintiff's request for a *Valentin* Order is GRANTED.

Under *Valentin v. Dinkins*, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). In the Complaint, Plaintiff appears to supply sufficient information to permit the City of New York and the New York City Department of Correction ("DOC") to identify the John and Jane Doe defendants who were involved in the November 2021 incidents alleged in the Complaint. It is therefore ordered that the New York City Law Department, which is the attorney for and agent of the DOC, shall ascertain the identities of each John and Jane Doe whom Plaintiff seeks to sue and the address where each defendant may be served.<sup>1</sup> The New York City Law Department shall provide this information to Plaintiff and the Court within sixty days of the date of this Order, *i.e.*, no later than Thursday, May 25, 2023.

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<sup>1</sup> If the Doe defendant is a current or former DOC employee or official, the New York City Law Department should note in the response to this Order that an electronic request for a waiver of service can be made under the e-service agreement for cases involving DOC defendants, rather than by personal service at a DOC facility. If the Doe defendant is not a current or former DOC employee or official, but otherwise works

Within thirty days of receiving this information, Plaintiff shall file an amended complaint naming the John and Jane Doe defendants. The amended complaint will replace, not supplement, the original complaint. Once Plaintiff has filed an amended complaint, the Court will screen the amended complaint and, if necessary, issue an order asking the newly named defendants to waive service or directing the Clerk of Court to complete the USM-285 forms with the addresses for the named John and Jane Doe defendants and deliver all documents necessary to effect service to the U.S. Marshals Service. To provide Plaintiff with sufficient time to serve the yet-to-be-served defendants, the Court extends Plaintiff's deadline to serve those defendants to 180 days from the date this Order is issued, *i.e.*, until Friday, September 22, 2023.

Plaintiff also requests an extension of time to respond to the motion to dismiss filed by Defendants City of New York and Warden Sharlisa Walker. (*See* 3/20/23 Ltr.) Plaintiff's request is GRANTED. If Plaintiff files an amended pleading, such amended pleading will render the pending motion to dismiss moot. Thus, the Court hereby extends the deadline for Plaintiff to respond to the pending motion to dismiss until July 15, 2023. Given the Court's disposition of the foregoing requests by Plaintiff, the Court finds that a stay of proceedings is not warranted, and Plaintiff's request for a stay (*see* Pl.'s 3/22/23 Ltr.) is DENIED.

Per Plaintiff's request (*see* Pl.'s 3/20/23 Ltr.; Pl.'s 3/22/23 Ltr.), the Clerk of Court is respectfully requested to mail to Plaintiff a copy of his as-filed Complaint (ECF No. 2).<sup>2</sup>

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or worked at a DOC facility, the New York City Law Department must provide a residential address where the individual may be served.

<sup>2</sup> Plaintiff also had requested that he be sent a copy of Exhibit A to the pending motion to dismiss; however, Exhibit A to the Declaration of Joseph Zangrilli in support of the motion to dismiss is an exact copy of Plaintiff's Complaint. (*See* Zangrilli Decl., Ex A, ECF No. 18-1.)

**SO ORDERED.**

Dated: New York, New York  
March 26, 2023

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON  
United States Magistrate Judge